



DOCKET NO. B1102.70027US00

## DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe the named inventor(s) to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### DETERMINATION AND/OR CONTROL OF REACTOR

#### ENVIRONMENTAL CONDITIONS

the specification of which:

☐ is attached hereto;

☒ was filed on 09/16/03, as United States Application No. 10/664,046, Confirmation No. 2591, bearing attorney docket No. B1102.70027US00.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §§119(a)-(d) or (f) and/or 35 U.S.C. §365(a) or (b) of any foreign application(s) for patent, PCT international application(s) designating at least one country other than the United States, inventor's certificate, or application(s) for plant breeder's rights listed below, and have also identified below any foreign application for patent, PCT international application, inventor's certificate and applications for plant breeder's rights having a filing date before that of the application on which priority is claimed:

			Priority Claimed	Certified Copy Attached?
			YES NO	YES NO
<u>US03/25956</u>	<u>PCT</u>	<u>08/19/03</u>	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input checked="" type="checkbox"/>
(Number)	(Country-if PCT, so indicate)	(DD/MM/YY Filed)		

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

<u>60/409,273</u>	<u>09/09/02</u>
(Application Number)	(filing date)
<u>60/282,741</u>	<u>04/10/01</u>
(Application Number)	(filing date)
<u>60/386,323</u>	<u>06/05/02</u>
(Application Number)	(filing date)
<u>60/386,322</u>	<u>06/05/02</u>
(Application Number)	(filing date)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s), or §365(c) of any PCT International application(s) designating the United States of America listed below. I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

U.S. Non-Provisional Application(s)

<u>10/223,562</u> (Application No.)	<u>08/19/02</u> (filing date)	<u>abandoned</u> (status-patented, pending, abandoned)
<u>10/457,048</u> (Application No.)	<u>06/05/03</u> (filing date)	<u>abandoned</u> (status-patented, pending, abandoned)
<u>10/456,934</u> (Application No.)	<u>06/05/03</u> (filing date)	<u>abandoned</u> (status-patented, pending, abandoned)
<u>10/456,133</u> (Application No.)	<u>06/05/03</u> (filing date)	<u>abandoned</u> (status-patented, pending, abandoned)
<u>10/457,049</u> (Application No.)	<u>06/05/03</u> (filing date)	<u>pending</u> (status-patented, pending, abandoned)
<u>10/457,015</u> (Application No.)	<u>06/05/03</u> (filing date)	<u>pending</u> (status-patented, pending, abandoned)
<u>10/119,917</u> (Application No.)	<u>04/10/02</u> (filing date)	<u>pending</u> (status-patented, pending, abandoned)

PCT International Applications designating the United States:

<u>(PCT Appl. No.)</u>	<u>(U.S. Ser. No.)</u>	<u>(PCT filing date)</u>	<u>(status-patented,pending,abandoned)</u>
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The undersigned hereby appoints the following attorney(s) and/or agent(s) to prosecute this application and all related divisional, continuing, substitute, renewal, reissue, re-exam, and to conduct all business in the Patent and Trademark Office connected therewith:

☒ Practitioners at Customer Number:

23628

AND

☐ Practitioner(s) named below:

Name	Registration Number

☐ Direct all correspondence to the above-mentioned customer number

OR

☐ Correspondence address below:

ATTORNEY'S NAME					
FIRM NAME					
ADDRESS					
CITY		STATE		ZIP	
COUNTRY		TELEPHONE		FA	

Address all telephone calls to Timothy J. Oyer, Ph.D. at telephone no. (617) 720-3500.

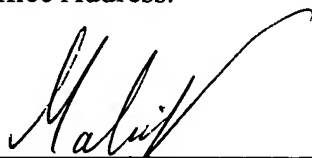
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



Inventor's signature

3/2/04  
Date

Full name of first or joint inventor: Scott E. Miller  
Citizenship: United States  
Residence: 66 Gordon Street  
Somerville, MA 02144  
Post Office Address: 66 Gordon Street  
Somerville, MA 02144



Inventor's signature

03/02/2004  
Date

Full name of second joint inventor: Gennady Malin  
Citizenship: Israel  
Residence: 23 Kerr Path  
Newton, MA 02459  
Post Office Address: 23 Kerr Path  
Newton, MA 02459

Declaration for Patent Application

Howard B. Schreyer  
**Inventor's signature**

3/2/04  
**Date**

Full name of third joint inventor: Howard B. Schreyer  
Citizenship: United States  
Residence: 6 Decarolis Drive  
Tewksbury, MA 01876  
Post Office Address: 6 Decarolis Drive  
Tewksbury, MA 01876

Seth T. Rodgers  
**Inventor's signature**

3/2/04  
**Date**

Full name of fourth joint inventor: Seth T. Rodgers  
Citizenship: United States  
Residence: 68 Simpson Avenue  
Somerville, MA 02144  
Post Office Address: 68 Simpson Avenue  
Somerville, MA 02144

**Inventor's signature**

**Date**

Full name of fifth joint inventor: Andrey J. Zarur  
Citizenship: Mexico  
Residence: 30 Robinhood Road  
Winchester, MA 01890  
Post Office Address: 30 Robinhood Road  
Winchester, MA 01890



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### DETERMINATION AND/OR CONTROL OF REACTOR ENVIRONMENTAL CONDITIONS

the specification of which:

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☒ was filed on 09/16/03, as United States Application No. 10/664,046, Confirmation No. 2591, bearing attorney docket No. B1102.70027US00.

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<u>10/457,049</u> (Application No.)	<u>06/05/03</u> (filing date)	<u>pending</u> (status-patented, pending, abandoned)
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PCT International Applications designating the United States:

<u>                    </u> (PCT Appl. No.)	<u>                    </u> (U.S. Ser. No.)	<u>                    </u> (PCT filing date)	<u>                    </u> (status-patented, pending, abandoned)
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**23628**

**AND**

☐ Practitioner(s) named below:

Name	Registration Number

☐ Direct all correspondence to the above-mentioned customer number

OR

☐ Correspondence address below:

ATTORNEY'S NAME					
FIRM NAME					
ADDRESS					
CITY		STATE		ZIP	
COUNTRY		TELEPHONE		FA	

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---

**Inventor's signature**

**Date**

Full name of first or joint inventor: Scott E. Miller  
Citizenship: United States  
Residence: 66 Garden Street  
Somerville, MA 02144  
Post Office Address: 66 Garden Street  
Somerville, MA 02144

---

**Inventor's signature**

**Date**

Full name of second joint inventor: Gannady Malin  
Citizenship: Israel  
Residence: 23 Kerr Path  
Newton, MA 02459  
Post Office Address: 23 Kerr Path  
Newton, MA 02459

Serial No.: 10/664,046  
Declaration for Patent Application

Page 4

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**Inventor's signature**

Full name of third joint inventor:

Howard B. Schreyer

Date

Citizenship:

United States

Residence:

6 Decarolis Drive

Post Office Address:

Tewksbury, MA 01876

6 Decarolis Drive

Tewksbury, MA 01876

---

**Inventor's signature**

Full name of fourth joint inventor:

Seth T. Rodgers

Date

Citizenship:

United States

Residence:

68 Simpson Avenue

Post Office Address:

Somerville, MA 02144

68 Simpson Avenue

Somerville, MA 02144

---

**Inventor's signature**

Full name of fifth joint inventor:

Andrey J. Zarur

3/10/04

Date

Citizenship:

Mexico

Residence:

30 Robinwood Road

Post Office Address:

Winchester, MA 01890

30 Robinwood Road

Winchester, MA 01890





DOCKET NO.: B1102.70027US00

Applicant or Patentee: Scott E. Miller et al.  
Serial or Patent No: 10/664,046  
Confirmation No.: 2591  
Filed or Issued: September 16, 2003  
For: DETERMINATION AND/OR CONTROL OF REACTOR  
ENVIRONMENTAL CONDITIONS

### STATEMENT REGARDING SMALL ENTITY STATUS

#### A. ☒ SMALL BUSINESS

I am the owner or an official of the following small business empowered to act on behalf of the concern identified below.

The small business concern identified below qualifies as a small business concern as defined in 37 CFR 1.27(a), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

---

#### LIST OF OTHER CONCERNS HAVING RIGHTS IN THE INVENTION

If the rights held by the small business or nonprofit organization or individual inventor are not exclusive, each additional individual concern or organization having rights to the invention is listed below. **(If your rights are exclusive, then no such person, concern or organization should be selected).**

- ☒ no such person, concern or organization  
☐ persons, concerns or organizations listed below\*

\*NOTE: Separate statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities.

FULL NAME  
ADDRESS

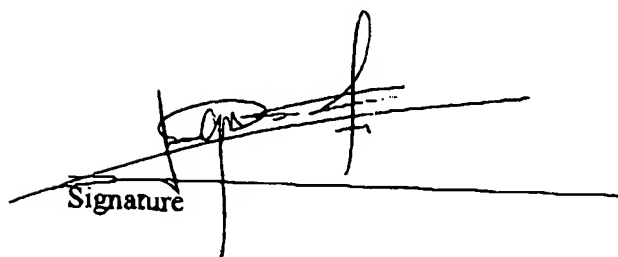
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

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The concern or inventor identified above acknowledges the duty to notify the U.S. PTO of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.27(g))

PRINTED NAME OF PERSON SIGNING:  
TITLE OF PERSON (if other than owner):  
ADDRESS OF PERSON SIGNING:

Andrey J. Zarur, Ph.D.  
President & CEO  
BioProcessors Corp.  
35-C Cabot Road  
Woburn MA, 01801

  
Signature

3/9/04  
Date